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2 UNITED STATES DISTRICT COURT
3 DISTRICT OF NEVADA

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5 ROBERT ROYCE BYFORD,
6 Petitioner,
7 v.

Case No. 3:11-cv-00112-JCM-WGC

**ORDER GRANTING
MOTION FOR EXTENSION OF TIME
(ECF NO. 125)**

8 WILLIAM GITTERE, *et al.*,
9 Respondents.
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12 In this capital habeas corpus action, the petitioner, Robert Royce Byford,
13 represented by appointed counsel, filed a third amended petition for writ of habeas
14 corpus on January 30, 2020 (ECF No. 92). Respondents filed a motion to dismiss the
15 third amended petition on September 25, 2020 (ECF No. 107). On February 24, 2021,
16 Byford filed an opposition to the motion to dismiss (ECF No. 116), along with a motion
17 for leave to conduct discovery (ECF No. 117) and a motion for evidentiary hearing (ECF
18 No. 119). After a 30-day initial period, and a 45-day extension of time, Respondents
19 were due on May 10, 2021, to file a reply in support of their motion to dismiss, and
20 responses to the motion for leave to conduct discovery and motion for evidentiary
21 hearing. See Order entered October 24, 2019 (ECF No. 88) (30 days for reply); Order
22 entered March 31, 2021 (ECF No. 124) (45-day extension).


23 On May 7, 2021, Respondents filed a motion for extension of time (ECF No.
24 125), requesting a 30-day extension of time, to June 9, 2021. Respondents' counsel
25 states that the extension of time is necessary because of his obligations in other cases.
26 Petitioner does not oppose the motion for extension of time.
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1 The Court finds that Respondents' motion for extension of time is made in good
2 faith and not solely for the purpose of delay, and that there is good cause for the
3 extension of time requested.

4 **IT IS THEREFORE ORDERED** that Respondents' Motion for Enlargement of
5 Time (ECF No. 125) is **GRANTED**. Respondents' reply in support of their motion to
6 dismiss, and their responses to the motion for leave to conduct discovery and motion for
7 evidentiary hearing, will be due on June 9, 2021.

8 **IT IS FURTHER ORDERED** that, in all other respects, the schedule for further
9 proceedings set forth in the order entered October 24, 2019 (ECF No. 88) will remain in
10 effect.

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12 DATED May 11, 2021.

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16 JAMES C. MAHAN,
17 UNITED STATES DISTRICT JUDGE
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